

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

HANOVER SPECIALTIES, INC. d/b/a VITRITURF,

Plaintiff,

-against-

LES REVÊTEMENTS POLYVAL, INC. d/b/a
POLYVAL COATINGS INC.,

Defendant.

Case No. 19-cv-03732-KAM-CLP

**REPLY DECLARATION OF
BRADLEY J. NASH IN SUPPORT
OF DEFENDANT'S MOTION FOR
DISCOVERY SANCTIONS**

Bradley J. Nash, an attorney duly admitted to appear before this Court, declares the following under penalty of perjury:

1. I am a partner of Hoguet Newman Regal & Kenney, LLP, counsel to Defendant Les Revêtements Polyval, Inc. (“Defendant” or “Polyval”) in the above-captioned matter. I submit this Reply Declaration in further support of Polyval’s motion, pursuant to Rule 37(b)(2)(A) of the Federal Rules of Civil Procedure, for an order: (a) dismissing the Complaint of Plaintiff Hanover Specialties, Inc. (“Plaintiff” or “Hanover”); or in the alternative, (b) imposing adverse inferences against Hanover and precluding Hanover from presenting evidence on matters for which it has improperly failed to provide discovery; and (c) pursuant to Rule 37(b)(2)(C), awarding Polyval the legal fees and costs it has incurred in bringing this motion, as sanctions for Hanover’s willful violations of its discovery obligations and this Court’s orders.

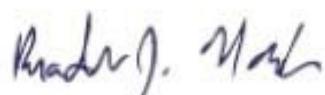
2. The purpose of this declaration is to place before the Court certain documents and information referenced in the accompanying reply memorandum of law.

3. Unless otherwise indicated, all statements made herein are based upon my personal knowledge, or a review of documents in my firm’s files.

Exhibits Cited in Reply Memorandum of Law

4. Attached hereto as Exhibit M is a true and correct copy of Exhibit B to Hanover's supplemental interrogatory responses.
5. Attached hereto as Exhibit N is a true and correct copy of a printout of Hanover's "Total Job Costs" (materials and labor) for Job No. H-5583 (Friendship Park Carlsbad, NM), along with an invoice to Hanover's customer for the same installation, both taken from Hanover's supplemental document production.

Dated: December 1, 2022
New York, New York



BRADLEY J. NASH